

# EXHIBIT Z

**Confidential**

**In The Matter Of:**

*N.S. o/b/o W.F. v.*

*STURGIS PUBLIC SCHOOLS*

---

*W.F. (CONFIDENTIAL)*

*August 26, 2024*

---

*Catka Court Reporting, LLC*

*33260 Spoonbill Avenue*

*Brownstown, Michigan 48173*

*313.282.8112*

*catkacourtreporting@gmail.com*

Original File 8-26-2024WF-WF-JC.TXT

**Min-U-Script® with Word Index**

Page 1

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF MICHIGAN  
3 SOUTHERN DIVISION  
4 N.S. o/b/o W.F., Case No.  
5 Plaintiff, 23-448  
6 vs Honorable Phillip J. Green  
7 STURGIS PUBLIC SCHOOLS,  
8 Defendant.  
9  
10 DEPOSITION OF W.F.  
11 taken on Monday, August 26, 2024, at Sturgis Public  
12 Library, 255 North Street, Sturgis, Michigan at  
13 10:07 a.m.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 2

1 For the Plaintiff  
2 Abdnour Weiker, LLP  
3 Elizabeth K. Abdnour P78203  
4 Renee A. Stromski  
5 (OH: 0101347) (via telephone)  
6 500 East Michigan Avenue  
7 Suite 130  
8 Lansing, Michigan 48912  
9 517.994.1776  
10  
11 For the Plaintiff  
12 Barger & Gaines  
13 Jacquelyn N. Kmetz P83575  
14 90 North Broadway  
15 Suite 320  
16 Irvington, New York, 10533  
17 734.864.4514  
18 (Via telephone)  
19  
20 For the Defendant  
21 Giarmarco Mullins & Horton, PC  
22 Travis M. Comstock P72025  
23 101 West Big Beaver Road  
24 Tenth Floor  
25 Troy, Michigan 48084  
26 248.457.7020  
27  
28 ALSO PRESENT: N.S.  
29  
30 REPORTER: Julie A. Catka, CSR-6530, CER-6530.

Page 3

1 I N D E X  
2 WITNESS: W.F. Page  
3 Examination by Mr. Comstock 4  
4 - - -  
5 E X H I B I T S  
6 (Attached)  
7 Deposition Exhibit Description Page  
8 No. 1 Behavior Plan 48  
9 No. 2 Video 68  
10 (Not attached)  
11 No. 3 Video 68  
12 (Not attached)  
13 No. 4 Plt. 000192 91  
14 (Not attached)  
15 No. 5 Plt. 000190 93  
16 (Not attached)  
17 No. 6 Plt. 000195 95  
18 (Not attached)  
19 No. 7 Plt. 000182 96  
20 - - -  
21  
22  
23  
24  
25

Page 4

1 Sturgis, Michigan  
2 Monday, August 26, 2024  
3 About 10:07 a.m.  
4 ---  
5 COURT REPORTER: Do you solemnly swear  
6 or affirm to tell the truth, the whole truth and  
7 nothing but the truth?  
8 THE WITNESS: Yeah.  
9 W.F.,  
10 after having been first duly sworn, was examined and  
11 testified as follows:  
12 E X A M I N A T I O N  
13 BY MR. COMSTOCK:  
14 Q. Good morning W.F. My name is Travis Comstock. I'm  
15 counsel for the Defendant School District here.  
16 Today we're going to spend some time talking about  
17 the lawsuit that you and your mom have filed, your  
18 experiences at Sturgis Schools. Okay?  
19 A. Okay.  
20 MR. COMSTOCK: For Plaintiff's  
21 counsel, Liz, we've, Julie, the court reporter can  
22 put into the record initials of minors that we refer  
23 to just so it's easier for W.F. and I to keep  
24 straight who we're talking about. It may be one or  
25 two. It's not going to be a lot.

Page 9

1 Q. It's okay. We'll remind you and it's all right.  
2 Everybody does it so it's not anything that is, that  
3 you're doing wrong.  
4 So when did school start this year?  
5 A. Last Monday.  
6 Q. Last Monday?  
7 A. (Nodding).  
8 Q. You're in 11th grade?  
9 A. Yeah.  
10 Q. Are you going to school in person or are you taking  
11 classes online?  
12 A. I'm going in person.  
13 Q. How many classes do you have this year?  
14 A. I have four and then CTE.  
15 Q. Which is Career Technical Education?  
16 A. Yeah.  
17 Q. So do you go to a different building for that?  
18 A. Yeah, I go to a different one.  
19 Q. Can you tell me a highlight about your summer? What  
20 did you do that was really exciting that you  
21 remember?  
22 A. I went on a trip at the beginning of summer.  
23 Q. To where?  
24 A. Out east like Maine and stuff.  
25 Q. Cool. Did you do any camping or hiking?

Page 10

1 A. Nuh-huh. No.  
2 Q. Just visit family?  
3 A. Not really. We just went out there.  
4 Q. Okay. Did you work during this summer at a job?  
5 A. Yeah.  
6 Q. Where did you work?  
7 A. I worked for like this Amish lady and I work at  
8 farmer's markets.  
9 Q. At a farmer's market?  
10 A. Yes.  
11 Q. Is that like a store that is a building called the  
12 farmer's market, or do you travel around to different  
13 markets and sell things?  
14 A. I travel around to different places and sell things.  
15 Q. Okay. When you're not in school, what do you like to  
16 do?  
17 A. I like fishing.  
18 Q. Do you? What kind of fish do you like to go after?  
19 A. Bass and blue gill.  
20 Q. Okay. What's the biggest bass you've caught?  
21 A. Like five pounds probably.  
22 Q. Do you know how many inches it was? Like 21, 23?  
23 A. I don't.  
24 Q. That's a pretty big fish. Do you still like to do  
25 four wheeling?

Page 11

1 A. Yeah.  
2 Q. Do you do that at your house or with friends?  
3 A. I do it at my grandma and grandpa's.  
4 Q. Do you have a good friend in high school this year?  
5 A. I mean not really, no.  
6 Q. You don't have like a best friend that you enjoy  
7 hanging out with?  
8 A. I mean I have friends, but all of them that are like  
9 good, good friends go to different schools.  
10 Q. Okay. For your school last year, were you coming to  
11 the school building in person or were you taking  
12 classes online?  
13 A. Both.  
14 Q. How many classes did you do online?  
15 A. I did all of my classes online, but I went in for  
16 tests and quizzes and stuff.  
17 Q. How often did you do that?  
18 A. I don't know like every week a couple of days a week.  
19 Q. Couple of days a week. For your 9th grade year which  
20 is two years ago, did you go to school in person  
21 every day, your freshman year in high school?  
22 A. I think so. I think I might have did online towards  
23 the end of that year.  
24 Q. Do you like going to school in person?  
25 A. It's all right.

Page 12

1 Q. Why is it just all right?  
2 A. I mean is school ever really fun?  
3 Q. I'm asking you, is it fun for you?  
4 A. No.  
5 Q. School is not fun for you?  
6 A. No.  
7 Q. Do you like to learn about things?  
8 A. Sometimes, yeah.  
9 Q. Like what?  
10 A. I don't know. I like some history stuff.  
11 Q. What time period? Are you talking like knights and  
12 things like that?  
13 A. Like Greek stuff.  
14 Q. Greek stuff? I like that too. That's very  
15 interesting.  
16 A. Yeah.  
17 Q. Do you ever feel like you're trapped in school when  
18 you're there in person?  
19 A. Yeah.  
20 Q. Describe that feeling to me.  
21 A. I don't know. I just feel like I have to be there.  
22 There's nowhere else I can go.  
23 Q. If you didn't have to be in school every day, what  
24 would you do?  
25 A. I don't know. Probably work.

Page 13

1 Q. At the farmer's market for the Amish lady?  
 2 A. No. I would probably get a different job.  
 3 Q. What would that job look like?  
 4 A. I don't really have one in mind.  
 5 Q. Do you have a favorite class that you have taken in  
 6 high school so far like math or English or history?  
 7 A. Right now I'm doing weight lifting and I like that  
 8 class.  
 9 Q. Is there any class you really didn't like? Like for  
 10 me it was science. I didn't really like science. Is  
 11 there any class that you don't like?  
 12 A. I don't really like ELA or physics.  
 13 Q. So ELA is English Language Arts?  
 14 A. Uh-huh. Yeah.  
 15 Q. Okay. Is it hard to do the assignments in there  
 16 because you don't like the class?  
 17 A. I mean sometimes it can be.  
 18 Q. Do you feel like you know the material in physics and  
 19 can do the assignment?  
 20 A. Yes and no depending on what it is.  
 21 Q. So one assignment you may be able to do, but another  
 22 one it's hard for you?  
 23 A. Yeah.  
 24 Q. One thing I noticed when looking at the documents,  
 25 the parties have exchanges that it seems like you

Page 14

1 have an interest in operating heavy equipment. Is  
 2 that true?  
 3 A. Yeah.  
 4 Q. What type of equipment would that be? Big crane or a  
 5 bulldozer?  
 6 A. No, I thought excavators were cool. It's like a big  
 7 claw machine.  
 8 Q. Digging out a basement or other things for buildings?  
 9 A. Yeah.  
 10 Q. It also looks like you have an interest in the  
 11 construction industry?  
 12 A. Yeah and no.  
 13 Q. Okay. So what type, like home building, like  
 14 building someone's house or building decks?  
 15 A. Mainly like just heavy equipment for construction.  
 16 Like nothing specifically.  
 17 Q. Okay. So more like big buildings?  
 18 A. Yeah.  
 19 Q. At the CTE, are you taking classes to help you learn  
 20 how to operate heavy machinery?  
 21 A. No, I'm taking an automotive class to do like learn  
 22 how to work on cars and stuff.  
 23 Q. Is that an interest you have?  
 24 A. Yeah.  
 25 Q. Is that something that you might want to do when you

Page 15

1 graduate from high school?  
 2 A. Yeah.  
 3 Q. What type of repairs on cars? I know there's brakes,  
 4 there's electronics, there's engine. Is there a part  
 5 of the car that you like to work on?  
 6 A. No, not really.  
 7 Q. So the class you're taking right now, what are you  
 8 going to be working on this semester?  
 9 A. Like brakes and lights and exhaust and stuff.  
 10 Q. Okay. My son went through one of those classes. He  
 11 really had a good time, so hopefully you'll like it.  
 12 A. Yeah.  
 13 Q. When you're interested in like auto repair, do you  
 14 learn best by doing it on the car or by like watching  
 15 a video of how to do it?  
 16 A. By doing it on the car.  
 17 Q. Okay. Is it helpful to have someone then next to you  
 18 to help explain how to do it?  
 19 A. Yeah.  
 20 Q. Do you ever look at You-Tube videos on how to repair  
 21 an exhaust for example?  
 22 A. I mean yeah, if I didn't know how to do it.  
 23 Q. You can learn on your own and figure out how to fix a  
 24 car?  
 25 A. Yeah.

Page 16

1 Q. So I know at one time you played football. Do you  
 2 still have an interest in sports?  
 3 A. Yeah, I'm playing football this year.  
 4 Q. For which school? Sturgis?  
 5 A. Yeah.  
 6 Q. What position do you play?  
 7 A. I don't know. I play center on the offense, and then  
 8 I also play defensive tackle.  
 9 Q. That's great. So you've already had two a day  
 10 practices where it's hot and sweaty, huh?  
 11 A. Yeah.  
 12 Q. I played football in high school and I never liked  
 13 those. It was really hard.  
 14 A. It's not fun.  
 15 Q. I played tight end and defensive end in high school.  
 16 Do you have, do you think your team has a good shot  
 17 at having a good season?  
 18 A. I think so, yeah.  
 19 Q. Okay. It sounds like you're going to play both ways.  
 20 That can be pretty tiring.  
 21 A. Yeah.  
 22 Q. Do you do a lot of running to make sure that you have  
 23 the stamina to do it?  
 24 A. Yeah.  
 25 Q. Do you have a driver's license, W.F.?

Page 21

- 1 A. Like, I don't know. I usually got paid by the day.
- 2 Q. How much did you get paid each day?
- 3 A. Sixty.
- 4 Q. Sixty? How many hours would you work in one day?
- 5 A. It depends on the day and where and when, so from
- 6 like four hours to like six hours.
- 7 Q. Okay. So you're taking tech classes about how to
- 8 work as an auto mechanic; correct?
- 9 A. Uh-huh.
- 10 Q. Yes?
- 11 A. Yeah.
- 12 Q. And can you take more of those classes in the spring?
- 13 Do they offer more classes?
- 14 A. You're talking about next semester?
- 15 Q. Yeah, next semester.
- 16 A. Yeah.
- 17 Q. Can you take them when you're a senior in high
- 18 school?
- 19 A. Yeah.
- 20 Q. Is that what you plan to do?
- 21 A. Yeah.
- 22 Q. May change your mind?
- 23 A. Yeah, maybe, but as of right now, yeah.
- 24 Q. Have you thought about once football is done working
- 25 in an auto repair shop as a part-time job?

Page 22

- 1 A. Yeah.
- 2 Q. Do you have any connections that you could do that
- 3 at?
- 4 A. No.
- 5 Q. What about next summer? Do you think you might work
- 6 in an auto repair shop or still work at the farmer's
- 7 market?
- 8 A. I definitely want to get a different job, but I don't
- 9 know what yet.
- 10 Q. Okay. You've got time to do that, don't you?
- 11 A. Yeah.
- 12 Q. Okay. Are you thinking maybe also in the
- 13 construction industry like buildings or anything like
- 14 that?
- 15 A. Yeah, that what be cool.
- 16 Q. Okay. So for auto mechanic work, do you have to do a
- 17 lot of reading in class to learn how to make the
- 18 repairs?
- 19 A. Yeah.
- 20 Q. What type of books do you read?
- 21 A. I'm not sure. We just started, but I know they said
- 22 it would be quite a bit of reading.
- 23 Q. Are you looking forward to all of that reading?
- 24 A. No.
- 25 Q. Why not?

Page 23

- 1 A. Because I don't like reading.
- 2 Q. Okay. You don't like reading, huh? Do you like
- 3 reading about Greek history?
- 4 A. Not really.
- 5 Q. Okay. So how do you learn about Greek history if
- 6 you're interested in it?
- 7 A. I don't know. Just like if I see a video or
- 8 something when I'm scrolling on TikTok I watch it.
- 9 Q. So it sounds like watching videos is more of a way
- 10 that you learn rather than reading a book about
- 11 something?
- 12 A. Yeah.
- 13 Q. So I want to talk a little bit about your school year
- 14 and some of the things that you had in terms of
- 15 supports for your disabilities. Okay?
- 16 When you were in school in person your
- 17 9th grade year and last year, are you familiar with
- 18 the term an Individualized Education Plan, an IEP?
- 19 A. Yeah.
- 20 Q. Have you ever seen your IEP?
- 21 A. Yeah.
- 22 Q. When did you see it?
- 23 A. I don't remember.
- 24 Q. You don't remember, but you looked at what's in it?
- 25 A. Yeah.

Page 24

- 1 Q. You read it?
- 2 A. Yeah. Well, not every word. I ain't got time for
- 3 that.
- 4 Q. But that IEP had some things to help you with your
- 5 academics; correct?
- 6 A. Yeah.
- 7 Q. Do you remember what those things were?
- 8 A. No.
- 9 Q. It had some things to help you with your behaviors?
- 10 A. Yeah.
- 11 Q. Do you remember what those things were?
- 12 A. Not really, no.
- 13 Q. So this is where I'm going to ask you some questions
- 14 to see if it might trigger your memory. Do you
- 15 remember being able to use a computer in class?
- 16 A. Yeah, like instead of a notebook.
- 17 Q. Were you able to type things from the class?
- 18 A. Yeah.
- 19 Q. Okay. Is that easier than writing it down for you?
- 20 A. Sometimes, yeah.
- 21 Q. Did you have like preferred seating? You had a seat
- 22 in class that you could choose or that the teacher
- 23 gave you?
- 24 A. Not really. No.
- 25 Q. Did you ever have seats next to friends?



Page 25

1 A. I mean not that I can remember, but maybe.  
 2 Q. Okay. Did you prefer to sit in the back of the room  
 3 or the front of the room?  
 4 A. Usually in the back.  
 5 Q. Okay. The back. If you were feeling overwhelmed or  
 6 upset, could you walk around in the back of the  
 7 classroom?  
 8 A. Yeah.  
 9 Q. Did you do that a lot?  
 10 A. Not really.  
 11 Q. When you were walking back there, did the teacher  
 12 expect you to be quiet?  
 13 A. Yeah.  
 14 Q. What's a fidget?  
 15 A. I don't know. Just something you can play with in  
 16 your hands.  
 17 Q. Was there like a spinning kind?  
 18 A. I mean a fidget spinner, yeah.  
 19 Q. Do you still use fidgets right now in school?  
 20 A. Not really, no.  
 21 Q. When you were in 9th and 10th grade, did you use  
 22 them?  
 23 A. Sometimes, yeah.  
 24 Q. What kind of fidget did you use usually?  
 25 A. I don't really remember. Our teacher had like a box.

Page 26

1 I would just grab one.  
 2 Q. Did some of the fidgets make noise?  
 3 A. Yeah.  
 4 Q. Were you ever asked to not use that one because it  
 5 was making noise?  
 6 A. Yeah, probably.  
 7 Q. Did you agree with that? Did you put it away and get  
 8 a different one?  
 9 A. I mean I don't know the time you are talking about  
 10 so --  
 11 Q. That's fair. That's fair. Did you have breaks  
 12 during your class day at any time?  
 13 A. Yeah.  
 14 Q. When did you have your break?  
 15 A. I don't remember. It was scheduled.  
 16 Q. So one of the documents I looked at, your IEP, said  
 17 it was right before fourth hour. Does that ring a  
 18 bell?  
 19 A. What year are we talking about?  
 20 Q. Last year or the year before.  
 21 A. I don't remember having scheduled breaks in high  
 22 school. I remember having them in middle school.  
 23 Q. All right. That's fair. If you wanted to take a  
 24 test in a different room, could you do that?  
 25 A. Yeah.

Page 27

1 Q. That was in high school too?  
 2 A. Yeah.  
 3 Q. If you needed to do an assignment in a different  
 4 room, you could do that as well?  
 5 A. Most of the time.  
 6 Q. Okay. What's the focus center?  
 7 A. I don't know, like the, I don't know. If you can't  
 8 be in class you go there.  
 9 Q. Is it like the library?  
 10 A. No, it's like a disciplinary center thing.  
 11 Q. Is it like a classroom?  
 12 A. Yeah.  
 13 Q. There was a teacher there?  
 14 A. Yeah.  
 15 Q. Who was that teacher?  
 16 A. In 9th grade I think it was Mr. Milton.  
 17 Q. In 10th grade do you remember?  
 18 A. I think it was the same one.  
 19 Q. Was Mrs. Richardson ever in that room?  
 20 A. Not in high school.  
 21 Q. So if the teacher gave the class a homework  
 22 assignment, did you get extra time to complete it?  
 23 A. Not usually.  
 24 Q. So if it was due like the next day, you weren't able  
 25 to turn it in two days later?

Page 28

1 A. Not that I can remember.  
 2 Q. Okay.  
 3 A. I mean there would be certain times where like they  
 4 would say I had a couple of extra days but not like  
 5 every time.  
 6 Q. Okay. When you were taking tests, did the teachers  
 7 ever read it out loud to you?  
 8 A. If I went to a different room then, yeah.  
 9 Q. Okay. Could you choose to have the test read to you  
 10 whenever you wanted?  
 11 A. Most of the time, yeah.  
 12 Q. Did you use that? Was it helpful for you?  
 13 A. Most of the time, yeah.  
 14 Q. If you got upset by something that was going on in  
 15 the classroom or what a teacher said, did you ever go  
 16 to what is known as a cooling off area?  
 17 A. No, I don't think so.  
 18 Q. Could you take a break from class and just walk the  
 19 hall to calm down?  
 20 A. Usually, I don't know. If I was mad then usually no.  
 21 Q. No? Where would you go if you got mad?  
 22 A. Usually to the, I don't remember. That was a long  
 23 time ago. I think I would go to the library.  
 24 Q. So last year when you were in school in 10th grade if  
 25 you got mad you don't remember where you would go to

Page 29

1 calm down?

2 A. Last year I didn't really take breaks. I was only in

3 one room.

4 Q. And that was because you were doing classes online?

5 A. Yeah.

6 Q. In your freshman year you were in person every day?

7 A. Yeah, I think so until the end of the year.

8 Q. So did you, if you got mad in your freshman year you

9 went to the library. Is that what you're saying?

10 A. I think either the library or the office.

11 Q. Was it helpful to go to those rooms to be able to

12 calm down?

13 A. I mean sometimes.

14 Q. Okay. Do you know what a social worker is?

15 A. Not really, no.

16 Q. Was there anyone in school that was like, they told

17 you they were a counselor or a social worker?

18 A. I think so.

19 Q. Okay. Did you ever talk to that person? Did they

20 ever meet with you?

21 A. Yeah.

22 Q. Okay. Was that your 9th grade or your 10th grade

23 year?

24 A. I think my 9th grade year.

25 Q. Did they meet with you when you were in 8th grade?

Page 30

1 A. I don't remember.

2 Q. Don't remember that far. Okay. Was it helpful to

3 talk to them?

4 A. Not really.

5 Q. Did you stop talking to them at some point?

6 A. I mean I haven't talked to them this year so I'm

7 going to say yeah.

8 Q. Did they talk to you about, you know, when you got

9 upset in school about how to maybe stay more calm?

10 A. Yeah.

11 Q. Did you find that helpful?

12 A. Not really.

13 Q. Why not?

14 A. I don't know. It was just basic stuff that didn't

15 really help.

16 Q. What helps you calm down?

17 A. I'm not sure.

18 Q. So do you have big brothers or sisters at home?

19 A. I have sisters, yeah.

20 Q. How many?

21 A. Two.

22 Q. How old are they?

23 A. Seventeen and nine.

24 Q. Do you ever get in fights with the 17-year-old

25 sister?

Page 31

1 A. Yeah.

2 Q. I have five kids so I'm familiar with that. When you

3 get upset at your older sister, how do you calm down?

4 How are you able to calm yourself down so you're not

5 upset anymore?

6 A. I don't know. I just usually go to my room.

7 Q. Just take some time to think?

8 A. Yeah.

9 Q. Do you ever talk to her about what made you mad?

10 A. Sometimes, yeah.

11 Q. Is that helpful?

12 A. Sometimes.

13 Q. When is it not helpful?

14 A. I don't know. It just depends.

15 Q. So if she says, You're right W.F., I did something

16 that made you mad. Is that helpful when she talks to

17 you like that?

18 A. Not really because I know she is lying.

19 Q. So you can read her mind then? All right. Did you

20 ever talk to a counselor or someone named a therapist

21 that wasn't part of the school?

22 A. I think so. I don't remember for sure.

23 Q. Did you have to travel to a doctor's office to talk

24 to someone?

25 A. Yeah.

Page 32

1 Q. Do you remember what year you did that in?

2 A. No.

3 Q. So I'm going to ask you a question and I'm not trying

4 to disrespect you or offend you, okay, but I notice

5 you have a speech, like a lisp; right?

6 A. Yeah.

7 Q. Did the school ever help you with that in trying to

8 get that better?

9 A. Yeah, I did speech for a while, but it didn't really

10 help.

11 Q. So did you decide you wanted to stop doing that or

12 did the school stop giving it to you?

13 A. I'm pretty sure the school stopped.

14 Q. When you were in 9th and 10th grade, do you remember

15 getting copies of teacher's notes from the class?

16 A. A couple of times, yeah.

17 Q. Did you ever ask the teacher for those notes?

18 A. Not usually. I think they just gave them to me.

19 Q. Did you have less homework to do in your 9th and 10th

20 grade?

21 A. I mean 10th grade it was all at home, so, no.

22 Q. Did you like doing school at home where you could do

23 it on your own time?

24 A. Yeah.

25 Q. So when you do school online, do you find that you do



Page 33

1 better in terms of your grades?  
 2 A. I mean yes and no.  
 3 Q. Okay.  
 4 A. If it's something that I already sort of understand,  
 5 then yeah. But if it's something like I don't  
 6 understand at all, then no.  
 7 Q. When you don't understand anything at all, do you  
 8 talk to teachers about it to help you learn?  
 9 A. I mean, yeah, but I don't know. The teacher wasn't  
 10 really that helpful.  
 11 Q. So give me an example of something you didn't  
 12 understand very well and the teacher wasn't that  
 13 helpful.  
 14 A. I don't know. Like I did physics last year and the  
 15 teacher I went into see because he was like math and  
 16 stuff, but he doesn't really know physics so he  
 17 couldn't help me.  
 18 Q. Did you ever ask a principal or anybody for a  
 19 different teacher?  
 20 A. No, I like that teacher.  
 21 Q. Last year when you were doing classes online but you  
 22 would come to school a day or two a week, were there  
 23 other students in your class with you when you were  
 24 at the school?  
 25 A. Yeah.

Page 34

1 Q. How many students were in the class with you?  
 2 A. I don't remember for sure. Probably like five.  
 3 Q. Okay. This summer did you take any classes over the  
 4 summer?  
 5 A. Yeah, I finished physics. I did it in summer school.  
 6 Q. Okay. Did you do that last summer after your 10th  
 7 grade year?  
 8 A. Yeah.  
 9 Q. Which class did you finish or take?  
 10 A. Physics.  
 11 Q. Again physics last summer?  
 12 A. Yes, I had to finish it because I failed it during  
 13 the year. No, I didn't fail it. I just didn't  
 14 finish it so they gave me time.  
 15 Q. You ended up finishing the class and getting credit  
 16 for it?  
 17 A. Yeah.  
 18 Q. So we're going to talk a little bit here about a  
 19 topic that might be hard which is about your  
 20 behaviors. Again, I have never met you before so I  
 21 don't mean any disrespect or I'm not trying to offend  
 22 you. Okay?  
 23 A. Okay.  
 24 Q. Part of my job I have to ask you questions about  
 25 this. Okay?

Page 35

1 A. Okay.  
 2 Q. When you were in school in 8th, 9th and the days you  
 3 were there in 10th grade, did you find that you swore  
 4 a lot in school?  
 5 A. Not really, but I'm sure I did.  
 6 Q. So, were you aware that the teachers kept what is  
 7 called a behavior log of your behaviors?  
 8 A. Yeah.  
 9 Q. Did your mom have a chance to look at those when you  
 10 were in school? Do you know?  
 11 A. I'm not sure.  
 12 Q. Did you ever see the logs?  
 13 A. I don't think so.  
 14 Q. If you got upset, would you say the "F" word in  
 15 school?  
 16 A. Sometimes, yeah.  
 17 Q. Okay. If you got upset, did you ever speak  
 18 disrespectfully to the teachers?  
 19 A. Sometimes, yeah.  
 20 Q. What made you be disrespectful to them?  
 21 A. Them being disrespectful to me. I mean I don't know.  
 22 It depends on the situation.  
 23 Q. You felt they were disrespectful to you first?  
 24 A. Sometimes, yeah.  
 25 Q. Did you ever call a teacher dumb?

Page 36

1 A. Maybe.  
 2 Q. Okay. You don't remember anything specifically  
 3 today?  
 4 A. Not specifically, no.  
 5 Q. Did you ever call the teachers names, inappropriate  
 6 names?  
 7 A. I mean I can't think of a time off of the top of my  
 8 head.  
 9 Q. That's fair. Like I said at the beginning, it's not  
 10 a memory test. You may not remember things so that's  
 11 okay.  
 12 At some point you got in fights at  
 13 school; right?  
 14 A. Yeah.  
 15 Q. Do you remember how many fights you got into in your  
 16 8th, 9th and 10th grade?  
 17 A. Not for sure, no.  
 18 Q. Okay. Do you recall ever putting a student in a  
 19 choke hold where you put your arm around their neck  
 20 and held them?  
 21 A. If it was the one time I'm thinking I got into  
 22 trouble for messing around then, yeah.  
 23 Q. Do you remember what school year that was that you  
 24 got in trouble for messing around?  
 25 A. I think it was 8th grade.

Page 37

1 Q. So sometimes the teachers would ask you to leave  
2 class; is that right?  
3 A. Uh-huh.  
4 Q. Do you know why they would ask you to leave class?  
5 A. It would be a bunch of different reasons.  
6 Q. Were you familiar with the three strike policy?  
7 A. Yeah.  
8 Q. So a teacher, you would do something and a teacher  
9 would say that's the first strike. Do you remember  
10 that?  
11 A. Yeah.  
12 Q. If you did something again in that class, you'd get  
13 your second strike; correct?  
14 A. Yeah.  
15 Q. Then if you got your third strike, what would happen?  
16 A. I had to leave the class.  
17 Q. Okay. If you had to leave that class, let's say it's  
18 ELA class, would you go to the next class or would  
19 you stay somewhere for that day?  
20 A. I think I would go to the next class.  
21 Q. So you kind of got, wiped it all clean and you got a  
22 new chance to stay in that class; is that correct?  
23 A. I think so, yeah.  
24 Q. So if you had to leave ELA class because you got  
25 three strikes, would you go to the focus center?

Page 38

1 A. Yeah.  
2 Q. Okay. Did you have to do your ELA work in the focus  
3 center?  
4 A. Yeah.  
5 Q. Okay. Did you do your work usually when you were in  
6 that focus center?  
7 A. Usually, yeah.  
8 Q. Were there times when you decided you didn't want to  
9 do the work?  
10 A. Yeah.  
11 Q. But you had the opportunity while you were in the  
12 focus center to do that class work. Am I  
13 understanding you correctly?  
14 A. Yeah. Yeah.  
15 Q. Did you ever have to serve detentions?  
16 A. A couple, yeah.  
17 Q. Would those be like during lunch or would they be  
18 after school?  
19 A. Both.  
20 Q. Were you able to chose whether it was a lunch  
21 detention or an after-school detention?  
22 A. I don't think so.  
23 Q. You never got the chance to choose?  
24 A. I don't think so.  
25 Q. Was there ever a time that you recall your mom

Page 39

1 telling the school that you wouldn't do detentions  
2 anymore?  
3 A. Yeah.  
4 Q. Why did she make that choice back then?  
5 MS. ABDNOUR: Objection, calls for  
6 speculation.  
7 BY MR. COMSTOCK:  
8 Q. Did she tell you why she didn't want you do the  
9 detentions?  
10 A. I'm pretty sure I told her.  
11 Q. Why didn't you want to do the detentions?  
12 A. Because I was already there for like eight hours. I  
13 didn't want to be there for nine.  
14 Q. So instead of doing a detention, did you have  
15 out-of-school suspension then?  
16 A. Sometimes, yeah.  
17 Q. So sometimes you had, you weren't allowed in school  
18 because you were suspended. Is that accurate?  
19 A. Yeah. Can I take a break?  
20 MR. COMSTOCK: Yes, for sure. Thank  
21 you for asking and answering my question. I  
22 appreciate that.  
23 (Whereupon a recess was held off the  
24 record from 10:51 to 10:56 a.m.)  
25 BY MR. COMSTOCK:

Page 40

1 Q. Thanks again for answering my question before you  
2 took a break. That is exactly how it works, so thank  
3 you.  
4 So I think we were talking about  
5 sometimes you would be out of school on a suspension.  
6 Do you remember that?  
7 A. Uh-huh.  
8 Q. That would happen like --  
9 A. Yeah.  
10 Q. That would happen if you had gotten into a fight of  
11 something like that?  
12 A. Yeah.  
13 Q. When you were on suspension at home, did you get your  
14 homework assignments to do?  
15 A. Sometimes. Most of the time, no.  
16 Q. Okay. So the teachers wouldn't send you home with  
17 any homework to do while you were out of class?  
18 A. Only if I was going to be like suspended for a long  
19 time.  
20 Q. So if it was just like one day you wouldn't get your  
21 assignments?  
22 A. Yeah.  
23 Q. But if it was like 10 days you might get your  
24 assignments?  
25 A. Yeah.

Page 49

1 A. Okay.  
2 Q. Have you ever seen that before?  
3 A. Not any time recently.  
4 Q. Did you ever see it in 9th grade or 10th grade?  
5 A. I don't remember. That was a while ago.  
6 Q. When do you recall the first time you saw this?  
7 A. Right now.  
8 Q. Right now?  
9 A. Yeah, I don't remember if I have seen it before.  
10 Q. Okay. All right.  
11 MS. ABDNOUR: Can we just identify the  
12 document for the record? I know you identified it as  
13 Exhibit 1, but if you wouldn't mind saying what it is  
14 on the record.  
15 MR. COMSTOCK: Sure. This is a  
16 behavior plan titled Version 1/9/22. It's W.F.'s  
17 Behavior Plan for 2021-2022.  
18 MS. ABDNOUR: Thank you.  
19 BY MR. COMSTOCK:  
20 Q. So you can put that aside if you have never seen it  
21 before.  
22 A. The picture is so bad.  
23 Q. Our pictures of when we were young are always bad.  
24 It's all right. You look much better than this  
25 picture now.

Page 50

1 So when you were in class, did you  
2 understand that there was certain behaviors that the  
3 school didn't want you to do?  
4 A. Yeah.  
5 Q. What were the behaviors that the school didn't want  
6 you to do?  
7 A. I mean I can't think of anything specific but --  
8 Q. Okay. Did your mom ever tell you when you were in  
9 9th and 10th grade what the school wanted you to be  
10 working on in terms of your behavior?  
11 A. Not that I remember, but possibly.  
12 Q. Possibly, okay. Is one of the things that the school  
13 might have wanted to work on is you swearing in  
14 school?  
15 A. Probably.  
16 Q. Okay. And do you think one of the things may have  
17 been to not be disrespectful to teachers?  
18 MS. ABDNOUR: Objection calls for  
19 speculation, but you can answer if you can.  
20 A. What was the question again?  
21 BY MR. COMSTOCK:  
22 Q. I'll say it in a different way.  
23 A. Okay.  
24 Q. We talked about three strikes. Do you remember that?  
25 A. Yeah.

Page 51

1 Q. And you would get a first strike then a second and  
2 then a third and then you would have to leave class;  
3 correct?  
4 A. Yeah.  
5 Q. Can you tell me something you would get the first  
6 strike for?  
7 A. Like talking while the teacher was talking.  
8 Q. That's disrupting class, don't you think?  
9 A. I mean not necessarily, no. Not if I'm just talking  
10 quietly to the person next to me.  
11 Q. Did you ever get a strike because you were talking  
12 loudly in class?  
13 A. Probably.  
14 Q. Okay. When you're at home if you break one of the  
15 rules at home, do you have a consequence?  
16 A. Yeah.  
17 Q. What type of consequence do you get at home if you  
18 break a rule?  
19 A. I usually get grounded.  
20 Q. Okay. So if you break a rule at home you have a  
21 consequence. If you break a rule at school you have  
22 a consequence; right?  
23 A. Uh-huh.  
24 Q. Yeah?  
25 A. Yeah.

Page 52

1 Q. So it's the same type of thing there. Did you  
2 understand that if the teacher told you to stop a  
3 behavior that you needed to do that?  
4 A. Yeah.  
5 Q. Or if they told you to do something like go to the  
6 focus center, you were supposed to do that?  
7 A. Yeah.  
8 Q. Okay. I can take this away.  
9 Do you remember a teacher with the  
10 last name of Brooks, Mr. Brooks?  
11 A. Yeah.  
12 Q. What do you remember about Mr. Brooks?  
13 A. I can't stand him.  
14 Q. Okay. Why is that?  
15 A. I don't know. We had issues.  
16 Q. What kind of issues?  
17 A. He fell and said that I pushed him.  
18 Q. Okay. So that is kind of one of the first things  
19 that I want to talk about. So you remember that day  
20 that he fell down and said that you pushed him?  
21 A. Yes.  
22 Q. Okay. Actually I want to talk about one before that,  
23 okay? Do you remember when you were in 9th grade  
24 asking Mr. Brooks if you could work in the hallway  
25 during one of his classes with a friend?

Page 77

1 MS. ABDNOUR: Objection calls for  
2 speculation. You can answer if you can answer.  
3 A. I mean I still don't feel that that is his place, but  
4 it could be.  
5 BY MR. COMSTOCK:  
6 Q. So these friends that Mr. Cary said not to hang out  
7 with, did they have behavior problems at school, like  
8 they were getting kicked out of school?  
9 A. Not really.  
10 Q. Okay. All right. So I want to talk a minute about  
11 Mrs. Littlefield. Do you remember her?  
12 A. Yeah.  
13 Q. Was she your class teacher or was she a substitute?  
14 A. She was a substitute. But she was also like another  
15 class teacher. Like she's a full-time teacher there.  
16 Q. Were you a student in any of her classes?  
17 A. No, she subbed in like a couple of mine.  
18 Q. So speaking of subs, were you aware that if there was  
19 a sub in class you could go to a different room?  
20 A. Yeah.  
21 Q. So if Mrs. Littlefield came into your class as a sub,  
22 you could go work in a different room in the  
23 building. Is that what I understand?  
24 A. I think so, yeah.  
25 Q. Did you ever do that?

Page 78

1 A. Sometimes, but I feel like there was a reason I  
2 didn't. But I don't know.  
3 Q. You don't remember what that reason is right now?  
4 A. Yeah, I don't.  
5 Q. Okay. Getting back to Mrs. Littlefield, part of the  
6 lawsuit here is that she said the "N" word in one of  
7 her classes. Do you remember that?  
8 A. Yeah.  
9 Q. Were you in the class when she said the word?  
10 A. No.  
11 Q. So you don't know why she said it?  
12 A. I mean I have heard why, but I don't know myself for  
13 100 percent, no.  
14 Q. Okay. Was there a video taken of her saying that  
15 word?  
16 A. Yeah.  
17 Q. Do you know who recorded it?  
18 A. I don't remember for sure.  
19 Q. Okay. Did you see this videos?  
20 A. Yeah.  
21 Q. Okay. What did it show?  
22 A. It was pretty much of just someone like hiding their  
23 phone under the desk and then you could hear her say  
24 stop saying and then she said the "N" word.  
25 Q. So she was telling students not to say the "N" word?

Page 79

1 A. Yeah.  
2 Q. Do you know if kids were actually saying the "N" word  
3 in the class?  
4 A. I think so, yeah.  
5 Q. Okay. So she was, was it a good thing she was  
6 telling them not to use that word in your opinion?  
7 A. I mean I feel like it was a good thing she was saying  
8 not to use that word, but there is definitely more  
9 appropriate ways she could have said that.  
10 Q. How do you think she could have said it?  
11 A. Stop saying the "N" word. Stop cussing. Stop using  
12 slurs.  
13 Q. So there was, in your mind, there was a better way to  
14 have handled that situation?  
15 A. Yeah.  
16 Q. Do you know if this video if it got edited in any  
17 way?  
18 A. No.  
19 Q. Were students sending this video to each other? Like  
20 sending it around the school or text message or  
21 anything like that if you're aware?  
22 A. I think -- I don't know. I only know of, I think  
23 there were like two people that had it or something.  
24 Q. Did they get it the same day that Mrs. Littlefield  
25 used the word?

Page 80

1 A. I think so. I don't remember for sure.  
2 Q. You don't remember if they got it during school or  
3 after school?  
4 A. I don't. I think it was during school because I  
5 remember someone walking up to me and showing me.  
6 Q. So just to confirm, you were not in her class when  
7 she used the word?  
8 A. No.  
9 Q. And she didn't say the word to you directly?  
10 A. No.  
11 Q. Did you tell anyone at the school, another teacher or  
12 principal that she used the "N" word?  
13 A. I didn't have to. They already knew.  
14 Q. Okay. Other than this one time, are you aware of any  
15 other time Mrs. Littlefield used that word?  
16 A. No.  
17 Q. It was just one time?  
18 A. I think so, yeah.  
19 Q. Okay. So in the lawsuit that you filed it claims  
20 that you were admonished for reporting that she was  
21 using the "N" word. Do you remember that?  
22 A. That's a big word. I don't know what it means.  
23 Q. Let me break it down. See, this is an example of me  
24 asking a bad question, so I appreciate you letting me  
25 know. Let me think for a minute because you caught



Page 85

1 A. No.  
2 Q. Did you ask her what she meant?  
3 A. I think so, but I don't remember her answer.  
4 Q. Okay. You remember responding to her that, "Is it  
5 because I'm black?"  
6 A. Yeah.  
7 Q. And you said that because she said you look  
8 suspicious?  
9 A. Yeah.  
10 Q. So you felt she was targeting you? Is that how you  
11 felt?  
12 A. Yeah, because I'm pretty sure she also didn't say  
13 anything to my friend. Or she told me to stay up  
14 there and said my friend could go.  
15 Q. So it was just you and her standing in the hallway?  
16 A. Yeah, I think so.  
17 Q. So if you felt targeted, did you tell any other  
18 teacher or principal about that situation?  
19 A. I don't remember.  
20 Q. You don't remember?  
21 A. I think I told Mrs. Richardson.  
22 Q. You think you told Mrs. Richardson about it?  
23 A. Yeah.  
24 Q. Did you and Mrs. Littlefield have conversations about  
25 racism?

Page 86

1 A. I mean I'm pretty sure she went around the school  
2 doing some dumb apology thing, but other than that,  
3 no.  
4 Q. Dumb apology thing, what do you mean by that?  
5 A. After she said the "N" word like her and Mr. Lamb  
6 like went around the school and I think she  
7 apologized or something.  
8 Q. But besides that you don't remember any conversations  
9 where she was talking about racism with you?  
10 A. Nuh-huh.  
11 Q. Is that a no?  
12 A. Yeah. No.  
13 Q. Was there ever a time when Mrs. Littlefield -- let me  
14 back up and give context here.  
15 Was there ever a time when you were in  
16 a classroom that wasn't Mrs. Littlefield's and she  
17 came into your classroom and told you to be quiet?  
18 A. Yeah.  
19 Q. What happened during that situation?  
20 A. I don't remember for sure.  
21 Q. Do you remember being loud and banging on the walls  
22 in that other class?  
23 A. I think I banged on the wall once and I was like  
24 quiet down or something because they were being like  
25 super loud.

Page 87

1 Q. Mrs. Littlefield's class was being loud?  
2 A. Yeah. And then I think she came over like it was a  
3 while later, like probably like 20 minutes and she  
4 said that I was being loud. And I mean I may have  
5 been a little loud in the back of the class, but her  
6 class was being so loud.  
7 Q. Because her class was being loud you banged on the  
8 wall. Was that to try to get her class to quiet  
9 down?  
10 A. I mean we were just messing around. I only did it  
11 once.  
12 Q. So Mrs. Littlefield came in and said to not bang on  
13 the walls?  
14 A. I don't even think she said that. She said that I  
15 was being loud and I needed to quiet down.  
16 Q. And how did that make you feel?  
17 A. Annoyed.  
18 Q. Annoyed. Okay. Do you think she did it because  
19 you're black?  
20 A. No, but I did feel like she was targeting me. Like I  
21 don't know, maybe not necessarily but --  
22 Q. So you were banging on the walls. You admit that?  
23 A. Yeah, but I don't think she even said anything about  
24 banging on the wall because it was a while. Like I  
25 did, like I banged on the wall at the beginning of

Page 88

1 class and then she didn't come over until like the  
2 middle end of class and said I was being loud.  
3 Q. You admit that you were being loud at some point?  
4 A. Probably, yeah.  
5 Q. So it sounds like she had a reason to come to the  
6 class and ask you to be quiet?  
7 A. Yeah, but I mean I wasn't yelling.  
8 Q. Okay.  
9 A. And her class was being way louder than I was for  
10 sure.  
11 Q. So the fact that she came into your classroom and  
12 told you to be quiet made you feel bad, targeted?  
13 A. Sort of, yeah.  
14 Q. But you don't think it was because you were black  
15 that she was asking you to be quiet?  
16 A. No.  
17 Q. So the last thing I want to talk to you about --  
18 well, okay. The last thing I want to talk to you  
19 about is this fight with M.M. So you got in a fight  
20 with him when you were in the fall of your 9th grade  
21 year. Do you remember that? Like September of 2022?  
22 A. Yeah.  
23 Q. Okay. So tell me what happened between you and M.M.  
24 What happened? Why were you guys fighting?  
25 A. So I think it originally started 'cause he had

Page 89

1 problems with my other friend and like they had  
2 problems in 8th grade and then it like, they were  
3 talking over the summer arguing, and then beginning  
4 of 9th grade my friend he like broke his leg or  
5 whatever and he was on crutches. And then him and  
6 M.M. still had problems and M.M. like went up and  
7 like punched him and pushed him down when he was on  
8 crutches, so I had problems with him since that. And  
9 then I don't know.  
10 Q. All right. So M.M. and your friend are talking.  
11 They had problems. You mean like they would get into  
12 arguments in 8th grade?  
13 A. Yeah.  
14 Q. Did they ever fight each other in 8th grade?  
15 A. No.  
16 Q. So they just had problems. And that continued over  
17 the summer?  
18 A. Uh-huh.  
19 Q. So how did that happen? Were they seeing each other  
20 and arguing?  
21 A. I don't know.  
22 Q. Do you know if they were texting or messaging each  
23 other?  
24 A. Probably.  
25 Q. But you weren't a part of those messages?

Page 90

1 A. Yeah, I wasn't.  
2 Q. So you don't really know why they were arguing with  
3 each other?  
4 A. Not for sure.  
5 Q. Then when you came to your freshman year, this friend  
6 of yours had broken his leg over the summer?  
7 A. Yeah.  
8 Q. He was in a cast?  
9 A. Yeah.  
10 Q. And M.M. went up and punched him and pushed him down  
11 when he was on crutches?  
12 A. Yeah.  
13 Q. And you saw this happen?  
14 A. No.  
15 Q. You just heard about it?  
16 A. I saw him like right after it happened.  
17 Q. You saw your friend?  
18 A. Yeah, and then I heard about it.  
19 Q. So your friend told you this is what happened with  
20 M.M.?  
21 A. Yeah.  
22 Q. So how long between that time when M.M. pushed him  
23 down to when you and M.M. got in a fight in the lunch  
24 room? Do you remember was it a couple of days, a  
25 couple of weeks?

Page 91

1 A. I want to say it was like a month or so. I don't  
2 remember for sure.  
3 Q. Don't remember for sure, but there was some time that  
4 passed?  
5 A. Yeah.  
6 Q. All right. Okay. So, we come to the lunch room.  
7 I've seen several videos. You and him are talking to  
8 each other. And I say that because some of the  
9 videos I can't hear what you're saying. What  
10 happened in the lunchroom that made you go up to him  
11 and start talking to him?  
12 A. I don't even honestly remember at this point.  
13 Q. Okay. All right. So I want to show you a couple of  
14 videos and again, maybe this will help you. If it  
15 doesn't, that's fine. Like I said, it's not a memory  
16 test but we'll just see.  
17 MR. COMSTOCK: Liz, for your  
18 information this is Plaintiff 00190.  
19 MS. ABDNOUR: That's Exhibit 4?  
20 MR. COMSTOCK: Correct.  
21 (Whereupon Deposition Exhibit No. 4  
22 was marked by the court reporter.)  
23 BY MR. COMSTOCK:  
24 Q. Okay. So in this video you're kind of tapping your  
25 cheek. Do you remember why you were doing that?

Page 92

1 A. I think I was saying hit me.  
2 Q. So you were inviting him to hit you?  
3 A. Yeah.  
4 Q. Why were you wanting him to hit you?  
5 A. Because all he wanted to do was talk.  
6 Q. So you were kind of egging him on?  
7 A. I mean, yeah and no.  
8 Q. Why no?  
9 A. I mean, yeah I was. He was doing the same thing  
10 though.  
11 Q. We don't see that in this video and I understand  
12 that. But from this video you're kind of like  
13 tapping your cheek like this and you're saying that  
14 was inviting him to hit you?  
15 A. Yeah.  
16 Q. Because he was talking to you. Do you remember what  
17 he was saying?  
18 A. I don't know.  
19 Q. You don't know. Okay. So before you guys are  
20 standing here, do you remember what you were doing?  
21 Like did you just come into the lunchroom and you  
22 just saw him? Or how did you end up being next to  
23 each other?  
24 A. No, I think I walked past him and he said something.  
25 Q. Do you remember what he said?



Page 93

1 A. Or he walked by me and said something. I don't  
2 remember what he said.  
3 MR. COMSTOCK: So Exhibit 5 will be  
4 Plaintiff 000192.  
5 MS. ABDNOUR: Thanks.  
6 (Whereupon Deposition Exhibit No. 5  
7 was marked by the court reporter.)  
8 BY MR. COMSTOCK:  
9 Q. Have you ever seen these two videos before, W.F.?  
10 A. Yeah.  
11 Q. When did you see these videos?  
12 A. I don't know. Around the time it happened.  
13 Q. Do you know based on viewing them who took those  
14 videos, which student?  
15 A. No.  
16 Q. Did you get, did they send you these videos or how  
17 did you, you just saw them on their phone?  
18 A. No.  
19 Q. Okay.  
20 A. I was getting messages from everybody.  
21 Q. Okay. All right. Did M.M. say something like there  
22 is the "N" word with a bounty on his head to you?  
23 A. Yeah. When, yeah, I think that was, I don't remember  
24 if that was before or right after we fought.  
25 Q. So what is this about a bounty? What does that mean?

Page 94

1 A. I don't know.  
2 Q. Were you having problems with other people?  
3 A. Nuh-huh.  
4 Q. No? So M.M.'s problem was with your friend if I'm  
5 understanding you correctly; right?  
6 A. Originally, yeah.  
7 Q. Then he says something to you about a bounty on your  
8 head and you don't know why he said that?  
9 A. No.  
10 Q. You weren't aware of anybody putting a bounty on your  
11 head?  
12 A. No.  
13 Q. So in those videos we can hear him say the "N" word.  
14 Is that what got you really upset?  
15 A. I mean yeah and no.  
16 Q. Why no?  
17 A. I was already pissed at him before that.  
18 Q. Why were you pissed at him before he said those  
19 words?  
20 A. I just told you what happened.  
21 Q. Because he pushed your friend down?  
22 A. Yeah.  
23 Q. Sometimes I just want to make sure that I got the  
24 connection correct so, all right.  
25 MR. COMSTOCK: So this is Exhibit 6,

Page 95

1 Plaintiff 000195.  
2 (Whereupon Deposition Exhibit No. 6  
3 was marked by the court reporter.)  
4 BY MR. COMSTOCK:  
5 Q. Last one, W.F. I know this is probably hard because  
6 you're probably not proud of this situation, so  
7 thanks for being patient and watching.  
8 It ends the same way. In this video  
9 -- what?  
10 A. Nothing.  
11 Q. In this video right before you swung at him you can  
12 see you saying things to M.M. Do you remember what  
13 you were saying to him?  
14 A. No, not for sure.  
15 Q. In this video you're kind of walking into him and  
16 pushing him around. Did you see that?  
17 A. Yeah.  
18 Q. Why were you doing that?  
19 A. I don't remember.  
20 Q. Okay. Was there a time when you could have just  
21 walked away and ignored him?  
22 A. Yeah.  
23 Q. Why did you not ignore him?  
24 A. Because I was mad.  
25 Q. All right. So based on this video he stops talking,

Page 96

1 you say something more and then you swing at him. Is  
2 that accurate from what you saw in this video?  
3 A. Yeah.  
4 Q. Do you want to watch it again just to be sure?  
5 A. Yeah.  
6 Q. Did you see that when you were talking to him?  
7 A. Yeah.  
8 Q. So M.M. stops talking and you say something and then  
9 you punch him. Do I have that accurate from the  
10 video?  
11 A. He said something else before I hit him.  
12 Q. Oh, he did? I didn't see his lips moving, but okay.  
13 You hear people in the background saying, "Beat his  
14 ass. Beat his ass." Did you feel like these  
15 students wanted you to fight?  
16 A. I mean probably, but I wasn't really listening to  
17 them.  
18 Q. You weren't listening to them so what they were  
19 saying didn't affect whether you were going to fight  
20 M.M. or not?  
21 A. Correct.  
22 (Whereupon Deposition Exhibit No. 7  
23 was marked by the court reporter.)  
24 BY MR. COMSTOCK:  
25 Q. Do you remember ever seeing a text message or a